

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA**

Daniel Gutierrez and Kassandra)	
Gutierrez,)	
)	
Plaintiffs,)	ORDER
)	
vs.)	
)	
Smith International, Inc.; et. al.,)	Case No. 1:17-cv-002
)	
Defendants.)	

On February 6, 2018, plaintiffs filed a motion to quash a subpoena to produce documents served by defendant Halliburton Energy Service Inc. (“Halliburton”) on Rollie Port Investigations, Inc., a non-party. On February 28, 2018, plaintiff and Halliburton filed a stipulation in which they agreed to the following:

1. Plaintiffs will obtain the documents sought by Halliburton from Rollie Port Investigations, Inc. within 20 days using a third-party records company.
2. The documents will be held by the third-party records company, bates numbered with access given to plaintiffs to review for privilege.
3. Plaintiffs will have 7 business days to review said records for privilege and provide Halliburton with a privilege log.
4. If plaintiffs are claiming any of the materials privileged, they will submit the privileged material to the court for in camera review and immediately release the non-privileged portion of the documents to Halliburton.

The court **ADOPTS** the parties’ stipulation (Doc. No. 60). The motion to quash (Doc. No. 55) is deemed **MOOT** with the understanding parties may file the appropriate motion should there be any

issues with respect to the privilege log and/or the subpoenaed documents.

IT IS SO ORDERED.

Dated this 1st day of March, 2018.

/s/ Charles S. Miller, Jr.
Charles S. Miller, Jr., Magistrate Judge
United States District Court